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The Spy Who Came In With A Court Suit

If an American spy sounds a warning against an alleged Soviet spy and names him, can the alleged Soviet agent sue for slander?

The Federal Court will be asked to decide that question here today at a deposition hearing for Juri Raus, 39, of Hyattsville, who has been identified as a paid agent for the Central Intelligence Agency.

Mr. Raus, a native of Estonia and national commander of the Legion of Estonian Liberation, a veterans' group, says he told members of the organization that Erik Heine was a member of the KGB, the Soviet secret police.

Damage Claimed

Mr. Heine, 46, a native of Estonia now living in Rexdale, Ontario, is suing Mr. Raus for \$110,000 damages.

Mr. Heine, who gives lectures about his anti-Communist activities

as a former Estonian freedom fighter and an escaped prisoner of the Russians, claims that the spy label damages his reputation in the Estonian community in America.

Mr. Raus has contended that he made the statement about Mr. Heine at the direction of the CIA, and the super-secret agency has come to court to back him.

In an affidavit filed this week, Richard Helms, deputy director of the CIA, said Mr. Raus made the statement as a paid operative of the Government and is immune from prosecution on the slander charge.

The immunity stems from laws protecting actions by Government agents in matters of national security, the CIA asserts.

More Information

Mr. Heine, the alleged Soviet agent, hopes to obtain more information today from the CIA.

Chief Judge Roszel C. Thomsen has remarked that any further disclosures by Mr. Raus and the CIA "might expose the entire United States counter-espionage apparatus."

In opposing Mr. Raus's motion to dismiss the slander suit, Mr. Heine's attorneys yesterday accused the CIA of "inordinate worship of secrecy."

The CIA affidavits supporting Mr. Raus are "drawn with Machiavellian cleverness, massive cunning, and calculated expediency," Mr. Heine charged.

"To Protect Sources"

The plaintiff said Mr. Raus should be required to prove his charge that Mr. Heine is a Soviet agent.

The CIA admitted that Mr. Raus made the accusation "to protect the integrity of the agency's foreign intelligence sources."

Moreover, the CIA said, "it would be contrary to the national interest and would further compromise the proper protection of intelligence sources and methods to disclose further information."

Another Twist

Mr. Heine's lawyers protested that the claim for immunity is being submitted without opportunity for cross-examination.

In another twist to the case, the plaintiff charged that the CIA had attempted to disguise its role by telling Mr. Raus to say the FBI provided the information about Mr. Heine.

The plaintiff presented a letter from J. Edgar Hoover, FBI director, denying that the bureau "released any information which could be the basis for the alleged charges" against Mr. Heine.